



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

Robert L. Morgan
State Engineer

1636 West North Temple, Suite 220
Salt Lake City, UT 84116-3156
801-538-7240
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February 20, 1996

Terry D. Lowry
2855 West 9150 South
West Jordan, UT 84088

Dear: Mr. Lowry

re: The check dam structure located on the San Pitch River
just west of Manti

The operation of the check dam structure described above was discussed at the annual distribution meeting for the Lower San Pitch River. It was reported at the meeting that the landowners adjacent to the structure close the structure each year prior to May 15 to back the river up and inundate their lands. You were named as one of a group of individuals whose lands are adjacent to the structure.

Apparently this practice began in the early 1950's as a result of an agreement between the water users on the river. This agreement is no longer in force. A review of our records indicates that you do not have a water right that would allow you to shut the check dam and irrigate your lands with San Pitch river water. According to our understanding, the only water user that has a right to operate the structure is the San Pitch Drainage District.

Therefore, you are hereby instructed that you are not to close the check dam in question or operate it in any manner. Please inform us if there are water rights which we have missed in our review which would give you this right.

If you have any questions concerning this notice, please contact me at 538-7380 or Kirk Forbush, Regional Engineer, at 896-4429.

Sincerely,

Lee H. Sim, P.E.
Assistant State Engineer
for Distribution and Adjudication

cc: Kirk Forbush
Lowell Anderson

